

Louisiana State Bar Association
Criminal Justice Committee
Monday, September 18, 2023, at Noon

Meeting Minutes

Attendees:

Barksdale Hortenstine, Orleans Public Defender Office (co-chair)
Norma Dubois, Jefferson Parish District Attorney's Office (co-chair)
Jean Faria, Attorney at Law (vice-chair)
John Collins, Southern University Law Center
Alix Deschamp, Baton Rouge Capital Conflict Office
Prof. John Devlin, LSU Law Center (guest)
Monica Doss, 9th JDC District Attorney's Office
Amy Duncan, LA State Bar Association
Paul Fleming, Jefferson & Plaquemines Parish Public Defender
Scherri Guidry, 15th JDC Public Defenders
Jimmie Herring, Dept. of Justice Executive Office for Immigration Review
Hannah Hummel, LSU Law Center (guest)
Mithun Kamath, Barrasso, Usdin, Kupperman, Freeman & Sarver, LLC
Loren Lampert, Louisiana District Attorneys Association
John Landis, Stone Pigman
Kristen Lee, Louisiana Supreme Court
Andrew Leonards, The Johnson Firm
Ryan McNeil, LSU Law Center (guest)
Monte Mollere, LA State Bar Association
Mercedes Montagnes, Attorney at Law
Jared Nelson, Liskow & Lewis
Laura Reeds, Justice and Accountability Center of Louisiana
Will Snowden, Loyola Law School
Ed Tarpley, Attorney at Law

I. Minutes Approval of Minutes from Previous Meeting were approved.

II. Recap of Previous Year

- Mental Health Subcommittee – Committee formed a mental health subcommittee that met twice and developed “Stages in the Criminal Justice Process and Impact of Mental Illness” which documents increased risks and outcomes when a person with mental illness interacts with the criminal justice system from the point of entry to appeal and post-conviction (and considers other contributing factors). The paper spawned the idea and was the basis for a CLE/CEU presentation given at the LAHMA conference in April.
- March Presentations – During the meeting in March we had several organizations educate members on various projects in progress relevant to Committee work:

- Attorney Russell Cortazzo, the Louisiana Supreme Court’s Case Management Information Systems Manager, and participant on the ICJIS Policy Board gave a presentation on the Integrated Criminal Justice Information System (ICJIS) Policy Board, its authority, reporting requirements, and projects related to interoperable data exchange between criminal law agencies and stakeholders (PowerPoint attached). ICJIS is working to 1) make interfaces between agencies more consistent with same language, formats, and error handling to increase accuracy and automate data sharing and 2) make charge codes more consistent. ICJIS meetings are public and anyone can attend.
- Patti Tobias from Nat’l Ctr for State Courts shared the “State Courts Leading Change Report” that included 11 recommendations to address courts response to mental illness and encourages state court leaders to lead efforts by partnering with community-based treatment providers, and use public health model rather than criminal justice system. They hope to do work with our state by participating in train the trainer workshops, etc. The report is available online.
- *Vera Institute of New Orleans* shared information about a **new project** they are launching to provide a statewide perspective of jail populations from a quantitative and qualitative analysis perspective. Dr. Kim Mosby, Assoc. Director of Research at Vera and Sarah Omojola, the Director of Vera New Orleans, provided a demo of the data hub, which included prison admission rates by parish compared with the U.S. average, pre-trial incarceration rates, number of jails and prisons overtime, and much more.
- [LAMHA Conference](#) - Finally, the Committee hosted three workshops for CEU and CLE credit at the LA Mental Health Association’s annual state conference for mental health professionals. feature three sessions – the first an overview of the interplay/impact on mental health when a SMI interacts with the criminal justice system shown in different stages presented by Barksdale Hortenstine, Richard Bourke, and Dr. Brad McConville. The second session we partnered with NCSC for Judge Steve Leifman from Miami-Dade County Court to present information on their nation-leading program that diverts people with mental illness and low risk to public safety away from the criminal justice system and into community-based treatment. Judge Kern Reese, Janet Hays and Attorney Terrance Prout will talk about the Louisiana AOT court model in the final session. All three videos are available for viewing in the link included.

III. **Current Criminal Justice Issues for Potential Projects**

LSU Law School Public Interest Law Society (PILS) Legal Deserts and Field Placement Proposal expand summer field placement program to operate year-round and provide support for criminal and non-criminal service providers in rural parts of the states that are considered legal deserts. Prof. John Devlin went

over some of the guidelines, such as students need 20 hours of work that would involve research, document drafting, etc. and asked Committee members for their thoughts. Committee members said that work does exist. Scherri Guidry, Public Defender for the 15th JDC mentioned work law student interns did with her office. Paul Fleming, 24th & 25th JDC, set up an intern/extern program with assignments in Jefferson Parish Public Defenders office. LSU is also interested in doing this for non-criminal side in large swaths of the state where the legal aid offices do not exist. Jean Faria, Committee Vice-Chair, and Monte Mollere, LSBA ATJ Director, offered to help.

- Mental Health Courts – working on topic of mental health courts and mental health subcommittee. Orleans DA and PD are working on mental health diversion program to divert from criminal legal system rather than wait for conviction to occur for person to be connected with substance abuse and mental health services. Court would help set up services with assisted supervision prior to a conviction and would result in dismissal of charges. Want to create mental health court with mental health issues. Barksdale is interested in determining gold standards for mental health courts around the country. Monica Doss, attorney in 9th JDC DAs office mentioned Judge Koch’s mental health court, which works with people and does not require a conviction to be connected with services.
- Open Discussion – Barksdale offered additional ideas for topic proposals:
 - Clarity on what makes up a Client file
 - Use of contempt by judges in criminal proceedings and frequency of contempt rulings being overturned.

IV. Next Steps and Next Meetings

- Wednesday, January 10, 2024 in Baton Rouge
- Friday, March 1, 2024, at noon in New Orleans
- Friday, May 3, 2024, at noon in New Orleans